

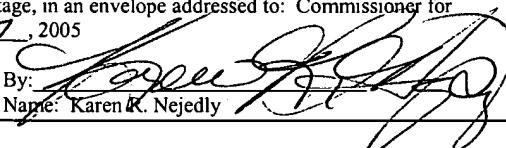


S/N 10/049,699

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Theodore E. CADELL Examiner: Faye S. Polyzos
Serial No.: 10/049,699 Group Art Unit: 2878
Filed: June 19, 2002 Docket No.: 270.63USWO
Title: METHOD AND APPARATUS FOR MINIMIZING TEMPERATURE
EFFECT ON SAMPLE IN SPECTROSCOPY

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited in the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 7, 2005

By: 
Name: Karen A. Nejedly

COMMUNICATION REGARDING
NON-COMPLIANT AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

23552
PATENT TRADEMARK OFFICE

Dear Sir:

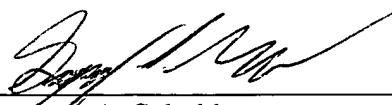
Applicant received a Notice of Non-Compliant Amendment dated December 9, 2004, a copy of which is enclosed. The Notice stated that claim 11 was previously amended and should not be listed as original. The error has been corrected and the Amendment is resubmitted herewith. Applicant submits that the previous Amendment was a bona fide attempt to reply to the Office Action dated July 12, 2004. Applicant asserts that the Amendment is now in full compliance and should be accepted.

Applicant asserts that the Application is in condition for allowance. A speedy and favorable action on the merits is hereby solicited. If the Examiner feels that a telephone interview may be helpful in this matter, please contact Applicant's representative at (612) 336-4728.

Respectfully submitted,

MERCHANT & GOULD P.C.

Dated: 1/7/05

By: 
Gregory A. Sebald
Reg. No. 33,280
GAS/krm

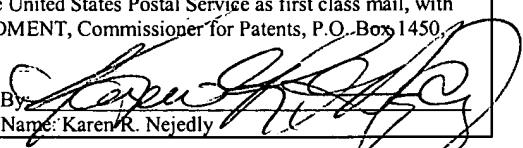


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Theodore E. CADELL Examiner: Faye S. Polyzos
Serial No.: 10/049,699 Group Art Unit: 2878
Filed: June 19, 2002 Docket: 270.63USWO
Confirmation No.: 4601
Due Date: January 9, 2005
Title: METHOD AND APPARATUS FOR MINIMIZING TEMPERATURE
EFFECT ON SAMPLE IN SPECTROSCOPY

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 7, 2005.

By: 
Name: Karen R. Nejedly

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

23552
PATENT TRADEMARK OFFICE

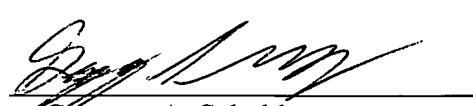
Sir:

We are transmitting herewith the attached:

- Transmittal Sheet in duplicate containing Certificate of Mailing
- Copy of Notice of Non-Compliant Amendment mailed December 9, 2004
- Communication Regarding Non-Compliant Amendment
- Amendment
- Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.
P.O. Box 2903, Minneapolis, MN 55402-0903
612.332.5300

By: 
Name: Gregory A. Sebald
Reg. No.: 33,280
GAS/krn

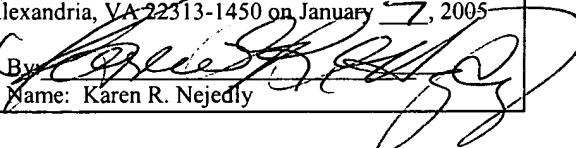


S/N 10/049,699

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Theodore E. CADELL	Examiner:	Faye S. Polyzos
Serial No.:	10/049,699	Group Art Unit:	2878
Filed:	June 19, 2002	Docket No.:	270.63USWO
Title:	METHOD AND APPARATUS FOR MINIMIZING TEMPERATURE EFFECT ON SAMPLE IN SPECTROSCOPY		

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited in the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 7, 2005.

By: 
Name: Karen R. Nejedly

AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed July 12, 2004 and the Notice of Non-Compliant Amendment mailed December 9, 2004, please amend the above-referenced application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 5 of this paper.